

**Supreme Court of the State of New York**  
**Appellate Division: Second Judicial Department**

M246745  
E/rr

WILLIAM F. MASTRO, J.P.  
JOHN M. LEVENTHAL  
BETSY BARROS  
VALERIE BRATHWAITE NELSON, JJ.

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2018-01534

DECISION & ORDER ON MOTION

In the Matter of Julian Swartz, appellant,  
v Lamb & Barnosky, LLP, et al., respondents.

(Index No. 1532/17)

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Motion by Julian Swartz for leave to appeal to this Court from an order of the Supreme Court, Suffolk County, dated February 5, 2018, and to stay certain proceedings pursuant to Education Law § 3020-a, pending hearing and determination of the appeal.

Upon the papers filed in support of the motion and the papers filed in opposition thereto, it is

ORDERED that the branch of the motion which is for leave to appeal is denied; and it is further,

ORDERED that on the Court's own motion, the appeal purportedly taken as of right is dismissed, without costs or disbursements; and it is further,

ORDERED that the motion is otherwise denied as academic.

MASTRO, J.P., LEVENTHAL, BARROS and BRATHWAITE NELSON, JJ., concur.

ENTER:   
Aprilanne Agostino  
Clerk of the Court

February 28, 2018

MATTER OF SWARTZ v LAMB & BARNOSKY, LLP